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L E T T E R S

FROM

HON. M. B. LOWRY,

SENATOR FROM ERIE.

TO

GEORGE BERGNER, Esq.,

EDITOR HARRISBURG TELEGRAPH.



ERIE, PENN'A. :
REPUBLICAN STEAM PRINTING ESTABLISHMENT.
1870.

LETTERS FROM HON. M. B. LOWRY

SENATOR FROM ERIE, TO

GEORGE BERGNER, ESQ.

EDITOR HARRISBURGH TELEGRAPH

No. 1.

The Session of The Harrisburgh Telegraph about April 1870 and 1871
Correspondence.

HARRISBURG, March 1, 1870.

DEAR GEORGE BERGNER:—

As you are the editor of the only Republican paper at the capital of Pennsylvania, as you are the late publisher of the *Evening Times*, as you are the contractor for the stationery and do the advertising of the State, as you are a banker of the funds of the Commonwealth, as you are a law-seller and the "linen of the ring," as you are a distinguished ex-military and loose contractor, as you are a fair agent for honest pumpers, as you are a vendor of members of the Legislature, as you are the agent for all Legislative jobs, as you are the Mackey election, as you now are not, I can have been mistaken at Harrisburg. I know you will not mind. I have omitted any of the numerous titles you hold and have so well earned. Ever since the commencement of the present session of the Legislature you have advertised me publicly and gratuitously in your own paper and by corruptible press, the whole aim and purport of which has been to read me out of the Republican party, and to render me odious to the people of this State, and especially to those of my own constituents whom you have libelously furnished with large editions of

your paper without charge. As they do to other Republican paper at the capital Government but your own, I need respectfully ask the *Evening Times* of Philadelphia to enable me to be faithful to you and justify myself by publishing these facts of my affliction for you.

As I have but little time to perform my official duties, I shall proceed to answer the accusations of the "Gentleman" in a series of letters as brief as possible, and therefore I get through with you I will show and expose to the people of this Commonwealth your recorded perfections from the books of the Auditor-General, collected from libels which are but trifles in comparison with those which are numerous.

My first offense against the conscience and dignity of the Republican party is that last year, as well as this year, I refused to abide by the decision of our peers to pass the Metropolitan Police bill, and also that last year and this year I refused to vote for the bill of the State Treasurer. In this I am faithful only briefly to the Metropolitan Police bill, that hid our legislative morality and conscience, which meant to me as a true and faithful Republican in opposing it. In the first place, as a true and honest Republican, no consideration that could be presented would ever induce me to aid in the passage of any bill that would not only bankrupt the city of Philadelphia, but that would destroy the very foundation upon which our republican institutions rest. This bill would not only

blow at the republican constitution of our State; it was in direct opposition to the letter and spirit of the Federal Constitution; it invaded the sacred rights of the people to manage their domestic affairs in their own way, and it deprived the people of their inherent sovereignty, the right to govern themselves, and all this I was required to do for the benefit of a ring of bad men, of which you were the ring-master. Admit for one moment the doctrines contained in that bill, and you may say a long farewell to civil and religious liberty; you establish an empire upon the ruins of this glorious Republic, you desecrate the Temple of Liberty, and convert it into the palace of a despot. Out of your own mouth you are condemned. Look at the brutal attacks you have made upon me for that vote, and then look at your paper of the 11th ultimo, containing the immortal message of Governor Geary vetoing the bill, and read your short but pointed editorial. The irresistible reasoning, the unanswerable arguments, were too much for you, and you were compelled to justify my course by approving and endorsing the veto. As far my information extends, every paper in this State has endorsed the veto, and thus sustained me, except three Republican papers, one in Philadelphia, one in Pittsburgh, and one in Erie.

With a unanimity unparalleled the whole press of the nation approve of the veto, and commend it in the highest terms. This message has done more, and justly, to give Gov. Geary a national reputation than any or all other public acts in his life. It must have had a tremendous power and force, or you never would have yielded to it in the truckling, sycophantic manner you did.

When this vile invasion of the people's rights first appeared I took my stand as a Republican, solitary and alone, against it, and continued to fight it unawed and undoubted, until Geary drove the pebble of truth deep into the forehead of this uncircumcised Philistine giant, who expired amid his weeping worshippers, among whom you were chief.

I stood, sir, unmoved, the storm of your detraction, until it spent its force and lulled into a quiet calm. The reservoir of your slander, "the foulest whelp of sin," has been exhausted and the bright rays of the sun of truth are about to penetrate the dark recesses of your rascality, and expose you to the public gaze in all your native and naked deformity.

Before I am done with you, sir, your natural and acquired beauties shall be fully seen. I will make

"Your name, your human name, to every eye,
The climax of all scorn to hang on high,
Exalted o'er your less abhorred compiers,
And festering in the infamy of years."

My reasons and my motives in opposing the bill are before the country, and known and

seen of all men. The reasons and motives by which you are actuated in advocating it are, generally, in your wallet and, covered by all the privacy and the darkness which the clasp that holds the same can secure.

The motive power, the mainspring of action in your soul, is avarice and cupidity; all other passions of your fallen nature, envy, jealousy, hatred, and revenge cluster in dwarf-like proportions around this great overshadowing central figure, presenting a group of horrid deformity. *Selah.*

You will hear from me again, my beloved Deacon, at my earliest convenience.

Faithfully yours, MORROW B. LOWRY.

No. 2.

How Bernger Does Up His "Arguments" in Envelopes—His War Record—Lowry Gives the People a "Smell" of the Deacon's Vileness.

HARRISBURG, March 2, 1870.

DEACON GEORGE BERNGER:

At the conclusion of my letter of yesterday I felt you hissing like a serpent at me for voting against the Metropolitan Police infamy, because you could not use me, and cooling like a dove to Governor Geary for vetoing this same measure, "that thirt might follow lawning." In this you manifested about the same consistency as you do upon the bill for the establishment of a new county with its seat at Timbville. In your vile paper, heretofore, which boasts of leading the great Republican party of Pennsylvania you have charged me at least a score of times with being personally interested in it to a very large amount in securing the passage of the measure; and in the same paper of the 21th, after you had done your infamous work, there you say that I went back upon my personal interest (a thing that you were never accused of doing), and defeated the passage of the new county bill in the House. In my simplicity I had not supposed, until you made the wonderful discovery, that I controlled both branches of the Legislature. But I was led to believe, from rumors in the ears of every one, and what was manifest to all, that there were at least more than thirty men of the House who could each produce two hundred better reasons than you give in your paper. These private reasons, if rumor be true, were given by you to them in envelopes.

You always have boasted that you could purchase more Democrats with the same money than you could Republicans, and your negotiations upon the new county bill satisfies me that for once you told the truth. You always purchase at the lowest market price, and sell at the highest.

But this is a digression from the main object of my letters which I have started with. They were not so much to defend myself as to expose you, and I will not in the future be switched

off upon any side track. How dare you question my Republicanism, and that of a band of men too honest to be bought and too brave to be driven into voting for a candidate for State Treasurer, when they knew, and everybody knew, that your organization had corrupted a majority of the caucus before you had called them together?

George Bergner, you sir, have had an uninterrupted career of fraud at the capitol, gathering gains from every act of wrong perpetrated by the vile of both parties in the Legislature, and were always more willing to enter into alliance with political foes for plundering the Treasury than to unite with a political friend to protect it. It is no secret that your paper is a vile organ of a dangerous "ring," and the defender and cover-up of the tracks of the vile. You, sir, who, by persistent practice, have lived in the faith that the end of all public life should inure to the corrupt fortunes of profligate adventurers, of whom you, a few years ago, were a mere apprentice, but are now chief, should not call in question the integrity or Republicanism of any man.

I now propose in this letter, and that which is to follow, to dissect your political course, and let the people of this State smell you, and they will be enabled to say with certainty who have been betrayers of the party and the plunderers of the State. For forty years I have been a careful observer of politics at Harrisburg, and for nine years, during all the reign of terror through which we have passed, I have been a watchful man of your course. Among the masses of the great majority which compose the Republican party its principles are held sacred and dear, and those Republicans who this year refused to vote for your candidate for State Treasurer are among the best men in the State and from the most faithful Republican counties. You were here at Harrisburg when thousands laid down their lives in their devotion to the principles of the Republican party, and to-day the country is filled with the widows and the orphans of the heroic martyrs. At Harrisburg, in the circle where you moved when the nation was bleeding at every pore, the only incentive that entered the heart of you and your associates was to plunder—feasting on the holy offerings that others made to insure the safety of the Government! You, during these times were clinching your games, and selling and re-selling your influence with your horses and mules, when the brave, the generous, and the patriotic were spilling their blood and scattering their fortunes to crush treason.

The war, thank God, has now passed. Reconstruction is a fixed fact, and good men's fears are not that the Government will be lost from enemies without, but that it will be destroyed by corruptionists, like yourself, from within. The office of State Treasurer has been one of the mediums through which you and your confederates have boldly corrupted State politics, debauched both political parties, and outraged the people at large. It is

no secret at Harrisburg that every man, probably, save one, who has held the office of State Treasurer since 1860, and many before that day, purchased, or by dishonorable means procured, the votes of a sufficient number of members to elect him before the caucus was called. The caucus system of nominations, which is a protection for party organizations, has, under your management, become a gigantic machine moved and controlled by bad men to perpetrate stupendous villainies. The breaking up of this organization by any means and by all means was not only a public duty but a private virtue, and your indignation at those who broke it up is the best evidence of their virtues. By means of the caucus the candidates for State Treasurer are forced by you and your paper, and your co-conspirators, to expend thousands of dollars to obtain the place, or to give you the whole treasury of the State to be used for venal purposes. There is no attempt to keep this fact a secret. You have been an active dealer in such business for more than ten years, managing in that time (for before that you were comparatively a poor man) to amass an immense fortune, and which by far the greater portion thereof, by this and other legislative and governmental rascalties, has come out of the pockets of taxpayers or corporations that sought legislation at Harrisburg. All these gains were accumulated to gorge the avarice and greed of the vile body of men that the best men in Pennsylvania now look upon as the greatest criminals of the age. I do not assert that in the sale of the office of State Treasurer, Senators and Representatives, as a general thing, have personally "stepped up to the captain's office" and offered themselves for sale, or that in all cases they can show the profits of this disreputable traffic. In this business the magic power is controlled "in the wheel within a wheel," such as you managing to sell the votes of new members screwing up their fears and ambitions to become members of committees or the promise of office for the support of Senators' and Representatives' votes in elections of Treasurers and other legislative commodities.

The men thus bartered for, in many cases before they left home, were ignorant of knowing it, or feared for their private legislation and for their reputation in your paper too much to complain of it. Your frowns and your flatteries, and those of your backers have had a potential influence. Your paper has been used as a straw to tickle or to tingle their ears, or as a penny whistle to please their fancy, or to damn them amongst their constituents. Hundreds, if not thousands, have been bound hand and foot, and voted to subserve the ends of your frauds.

You could tell us now, George Bergner, if you would, the state of the negotiations of the raid of seven millions upon the treasury now about to take place. If those who have it in charge will come down gracefully, their bill will succeed. If they do not, you will crush it

out, and unblushingly claim that you acted from public considerations.

I shall continue this subject, Deacon Bergner, and I will be faithful to you, faithful to the people of Pennsylvania, faithful to the Republican party, that must perish or get rid of you, and faithful to the cause of truth.

MORROW B. LOWRY.

No. 3.

He Tracks the Deacon's "Slimy Length" Through the Lobbies, and Shows His Prospect of Some Day Hanging From a Lamp-post, High Above the Rest of the Plunderers.

CONTINENTAL HOTEL, PHILADELPHIA, March 3, 1870.—Deacon George Bergner:—Yesterday I parted with you abruptly, and with regret, at the capitol of law sellers; to day I warmly greet you from the city of Penn. My duties here are of such a character that it may be out of my power again to salute you before I return to the home of the head of an organization which purchases, intimidates, and debauches men at the lowest price, and sells their votes at the highest—a city which has within itself an organization of which you are an outsider, standing like a highwayman, demanding of every corporation in the State, as well as every individual who seeks legislation, their purses, or their lives. Pardon me, my dear Deacon, for this complimentary digression, and I will proceed with the main issue.

One year ago I protested against your outrageous practice of corrupting a majority of the Republican party on or before their arrival at Harrisburg, and then calling a caucus, when you knew that the knaves could outvote the honest men, and compelling us to stand by the party or suffer the ignominy of voting with the Democracy. I protested against these outrages, and showed my contempt for such caucus nominations by refusing to vote for the caucus nominee for State Treasurer.

I would not have dared to have done so during the war, for then we had a nation to save from rebels, but now we have to save it from thieves. The African today is riding in the cars, the negro has taken the seat of J. T. Davis in the Senate of the United States, the colored man will vote at future elections, he already represents us in the army and at foreign courts, and with these great facts accomplished, the question of his position is forever established; and in future my attention shall be directed to such men as you.

I knew last winter that the nomination of Mr. Mackey had been purchased, and that the movers in it had incited this dignity and outraged the clearly expressed preferences of the Republican party for another man. In this struggle private brokers openly took part, Senators and representatives were importuned before they reached Harrisburg, and long be-

fore a caucus was called a majority of the dominant party were pledged, bound hand and foot, and carried into our gatherings, where they were voted in the interest of the ring that ruled. I beheld, with shame and humiliation, these proceeding for years. I have watched you Deacon Bergner, while showing your slimy length along the lobbies of the Legislature, plying a vocation as fixed by yourself or fixed for you by your weather and, if possible, more corrupt masters.

Your newspaper has been prostituted to these disgraceful purposes, and is the defender now of the plunderers of the Treasury, and the defamer of those whom you could not purchase, and who are endeavoring to protect the public moneys from swindlers and robbers. One year ago I was compelled, in justice to the people and out of regard to the honor of the Republican party, to strike at those who are its worst enemies, and try to protect it from further pollution. Of course, in doing this I incurred your hatred and that of your confederates, who monopolize the deposits of the public money, and who do the great measure of their banking business with the funds of the Commonwealth. A year ago you supposed the Treasury thieves had become permanently fixed in power, and you, Deacon Bergner, also started a bank, that you might share in their profits, Mr. Mackey, the State Treasurer, giving you a deposit, on which capital I have reason to believe, this institution was solely based. My course and that of my comrades put an end to your notes-shaving with the public moneys. And when I used my efforts to save the Republican party and the State Treasury from the clutches of thieves, I drew upon myself their malignant hate, and though you were put forward to tarow your filth upon me, I knew that behind were those who owned and used you.

By the practices to which I have alluded, you and your confederates have amassed fortunes, gigantic in proportion and in fraud, fortunes stolen from the Treasuries of the State and General Government—and it is stated as a fact, and I believe it to be true, that you may present a bill of an character, however questionable, and for any amount of money, and you can pass it through the Legislature. The fortunes thus made are now boldly used to defy the will of the people of Pennsylvania, by corrupting their representatives whenever it is the interest of these men to do so, and after having once done so, maliciously make it public that whenever they want a Senator they buy him like a sheep in the shambles.

The defeat of Mr. Mackey for State Treasurer was the only way I could see to the beginning of the end of this shame and fraud, which the people of Pennsylvania have so long and so grievously suffered. I have started an investigation, which has already developed a condition of affairs which would, if driven home, arouse the apprehension of every tax-payer, and impel the people to force their representa-

tives to inaugurate an absolute reform in their legislation, or they will take it in their own hands, as the people did in the French revolution, and hang the leaders to the lamp-posts of the capitol, and you Deacon Bergner, when that day comes, will be exalted above the rest, as chief among the clan of public plunderers.

Believe me, dear Deacon, with distinguished consideration, faithfully yours.

MORROW B. LOWRY.

No. 4.

The Figures in the Case-Bergner Draws Over \$200,000 from the State Treasury in Nine Years-Likewise \$200,000 from Other Public Treasuries—\$30,000 a Year in Clear Gain.

HARRISBURG, March 4, 1870.

DEACON GEORGE BERGNER:—

I salute you again this morning, having returned to a city and a Legislature which you and your associates are fast making odious and infamous by your vile practices. So infamous, that the public, when they see that you, you yourself, without exposure until now, have made a sum out of the sweat of the people sufficient to build a State Capitol in any square in Philadelphia, will be astounded, and you had better prepare to meet the scorn and righteous indignation which your conduct so justly deserves. In my first letter I promised to give the people some of the items from the Auditor-General's office of your recorded peculations. The unrecorded ones of which I spoke will, in all probability, be covered by an impenetrable veil until the great day of accounts—for under the laws of Pennsylvania you are a close corporation. Deacon George Bergner, stand up and listen to the following statement from the *Record*:

In 1861—For furnishing Senate and House with stationery and printing the <i>Record</i>				\$10,186
In 1862.	"	"	"	9,314
In 1863.	"	"	"	8,638
In 1864.	"	"	"	12,939
In 1865.	"	"	"	13,584
In 1866.	"	"	"	17,712
In 1867.	"	"	"	22,597
In 1868.	"	"	"	42,570
In 1869.	"	"	"	30,357

Total.....\$158,506

It must be borne in mind, while contemplating this vast sum, that you have claimed and been allowed the monopoly of furnishing all the departments, while in the hands of Republicans, with all the stationery used therein since 1861, which may be safely aggregated at, for ten years, the sum of \$50,000, which added to \$158,506, makes the princely sum of \$208,506 you have drawn from the State Treasury since 1861, saying nothing about tons upon tons of your worthless *Legislative Record* which you sold to the paper makers, and pocketed the proceeds, after you had received pay from the State at the rate of fifteen dollars a page.

In addition to this, Deacon Bergner, you have been Postmaster of Harrisburg for six years, a place that a crippled soldier and an honest man should have enjoyed, at an aggregate salary of \$18,300. While Postmaster you have had a share in a majority of the contracts given during the Rebellion to a favored class of Republicans of Harrisburg, from which it is popularly asserted and believed you made \$150,000. You have had a monopoly of all advertising done for ten years past by the United States Government at Harrisburg, which practical printers assure me was worth \$10,000. You have been doing the printing and advertising for Dauphin county for fifteen years, for which you received \$10,000 profit. This shows, in round figures, that you have received from the National, State and Dauphin county treasuries, in ten years, the sum of \$326,806.

Nor is this all. You have had a profit on all the coal furnished to the State of Pennsylvania, for use in the Capitol, during the same ten years. You undoubtedly made money in furnishing the Legislature with postage-stamps (of which I shall speak in detail) while you were Postmaster—so that, aggregating all the profits, you have reaped from all the public treasuries into which you could plunge your arms, it is safe to put down your total of clear gains, independent of your Legislative jobs, in ten years, at \$275,000! And you are not done or satisfied even now, because you still have a monopoly of the patronage of the clerks of both branches of the Legislature, and all the departments of the State Government, are Postmaster, and do all the advertising at Harrisburg for the United States Government, so that you to-day, independent of your publicly plundered fortunes, enjoy an income of clear profit from official patronage alone of not less than \$6000 annually! You allow no other Republican to claim any share in a Republican victory. Not satisfied with your gains as I have given them, you actually started a kind of book bank, and shaving shop, to carry on the business of which during last year—the first of its existence—State Treasurer Makey allowed you to use, and you are still using, \$25,000 of the people's money, which you loan them (their own money), at usurious interest.

What can the masses of the Republican party think of the picture? I gain my knowledge of the amounts of money you drew from the State from the reports of the Auditor-General. On one occasion, after you had been paid an account to which you had sworn, it was discovered you had fraudulently drawn more than you were entitled to, and were compelled to return to the State the sum of which you sought to cheat it, and it was no easy job to compel you to disgorge. My information as to your other receipts of public money, I believe, is correct and reliable. You may have been in secret schemes of plunder outside of your law selling, with which I am not acquainted. You certainly are engaged as a constant borer in the lobbies of the Legislature, where you pass

your time during the session of that body, instead of remaining in the Harrisburg Post Office attending to duties which you thus neglect, and for which you receive an annual salary of several thousand dollars. The Postmaster-General ought certainly to know that the Post Office at Harrisburg is, to all intents and purposes conducted without the presence of its legally appointed Postmaster; one whom nine-tenths of the decent and respectable Republicans of this city repudiate, and who, if they had the power, would hurl from a position he disgraces. In conclusion, Deacon Bergner, let me whisper in your ear, and suggest that before you go hence, you sell your ill-gotten lands and newly-constructed blocks, and have the proceeds ready to deposit in the ample pockets of your shroud, and in a strong iron safe in your grave, wherewith to tempt St. Peter, as you have often tempted members of the Legislature, and be prepared to cheat the Devil, as this is manifestly the best use you are likely ever to make of it.

As I intend to be as radical on thieves in peace as I was on rebels in war, I shall continue this subject.

I am, Deacon, as ever, faithfully yours,
MORROW E. LOWRY.

No. 5.

The Deacon's "Total Depravity"—How He Used to Run Up the Postage Bill of the State—How He Is Watched While Passing Around the Collection Bag in Church, and Divers Other Matters.

HARRISBURG, March 5.

DEAR DEACON BERGNER:—

The conclusion of my letter this morning was perhaps a little severe. This, however, you must attribute to the reckless manner in which you have prostituted the Legislature, and, by a reluctant division of the spoils, secured the assistance of some of your political opponents. You have almost, if not quite, established the doctrine of total depravity. I write this on Saturday evening, so that you may not be disappointed in my daily evidence of devotion for you. I have further evidence from the Auditor-General's office, to which I now call your special attention.

It has been the custom in this State, and I believe nearly all the States, for members of the Senate and House of Representatives to put their names upon their letters, and documents which are deposited in the Post Office by the Messenger, and for the Postmaster to put on the necessary stamps and charge it to the State. This practice has been in force in this Commonwealth until the present session. We discovered that the State was being largely defrauded by you, and at a very great inconvenience and duly annoyance to ourselves we changed the law. Our reasons for doing so you already know, and the public will find in the following statement taken from the books

of the Auditor-General. In 1862 you the Postmaster at Harrisburg, swore that you had put postage stamps on mail matter for the Senate and House of Representatives, vulgar fractions omitted, to the amount of \$15,199. In the year 1864 the amount of your account against the State reached the handsome little sum of \$23,392, to the correctness of which you made oath. In 1865 you were removed from the post office by Andrew Johnson, which deed on his part was perhaps the best he performed during his fitful and unsatisfactory administration.

General Simon Cameron, in an evil hour for his own fame, and in direct opposition to the wishes of the citizens of this city, and against the protest of the Republican party here, had you reinstated in office and a brave soldier removed to give you possession.

According to the record now before me, your account against the State the first year after you took charge of the office the second time amounted to the enormous sum of \$19,072. Stand up Deacon George, and tell the people that, in 1862, you used postage stamps for the Legislature amounting to \$15,199; in 1864 you advanced to the sum of \$23,392, and that after a short absence from office you again took possession and made a forced march up to the sum of \$29,072, when the Legislature wisely took the matter out of your hands, having become alarmed at your dexterity and facility in increasing the charges against the State, without any increase in the quantity of mail matter sent off. Give the people an estimate of the amount to which you would have increased these expenses had the Legislature not taken the alarm and relieved you from the opportunity

With no increase in postage, with no more letters and documents sent off requiring stamps in 1863 than in 1862, and perhaps not as many, we find under the judicious and skillful management of the pious Deacon an increase in the sum paid in 1863 over that paid in 1862 of \$11,873. Bear in mind, my worthy friend, that whenever the Legislature becomes uneasy, or disturbed, or alarmed at anything you do, no matter what it is, there must be great danger, and some stupendous, overwhelming defect and deficiency somewhere. I see from your paper of the 4th instant that your tranquility has been disturbed. You make a feeble and abortive effort to ridicule me, without attempting to reply to a single charge that I make against you. I may refer to this article again, but my object at present is to propound to you some interesting interrogatories, and let the people see whether you will answer them direct or not, or resort to ridicule.

Question 1. After you had been reappointed to the Post Office, and after the blue postage stamps had been issued several months, how many red stamps did you sell to the people of Harrisburg, and what was the amount you received?

Question 2. When you went into the office the second time, how many red postage stamps had you on hand, and as the General Post Of-

fiice was not issuing any, and had not for several months, where and from whom did you obtain the same?

Question 3. When the opposition of the people of this city, and the clamor which they raised against the selling of the old red postage stamps, forced you to stop, did you not send the remainder of what you had on hand to Philadelphia or some other locality for sale, and what amount did you receive for the same?

Question 4. Were these red stamps, which you must have held for over three years, included in the bill you presented against the state in 1864 for \$23,392, which you alleged you had furnished the Legislature in postage stamps to send off their letters and documents?

Question 5. If these stamps were included in the aforesaid bill, please state your reasons for not returning them to the State Treasury?

Will you answer the above interrogatories? That's the question. No dodging.

Again referring to your paper of the 4th, you say: "He (Lowry) has imposed on his constituents continually by the publication in the *Legislative Record* of speeches which he could not compose and never delivered."

I never wrote a letter or dictated one, made a speech or dictated it, that any intelligent man or woman in my district could not at once point to the author. My affliction, which you have so often gloated over in your paper, requires me to employ an amanuensis. Such statements do not and cannot injure me, but it is a source of pain and regret that even you, Deacon George, are so lost to every moral sensibility, so destitute of all shame, all virtue and all truth, as to utter such a falsehood.

Suppose the statement you make was true, what then? You have charged the State fifteen dollars a page, and sworn to the truthfulness of your account and received your pay therefor, for forged and bogus and fraudulent speeches, thus making yourself as great a rascal as I have ever charged you with being. If there is any one thing which is better known to my constituents than another, it is that my speeches and writings father themselves. They are as legitimate and unmistakable as my own peculiarities and image are in the children and grand children whose hearts you delight to wound by advertising with a scornful mouth, in your bell-horn and bell-bound paper, the brainssoftening and dementing process which you say is now going on within in consequence of the physical misfortune of a father and grand father.

You, George, are a professor of religion. You belong to a Christian Church and hand around the bag for the collection on the Sabbath day, and yet you are watched even in the discharge of this pious duty.

As good a man as there is in this city, and as high in the Church, told me so. Is it possible, Deacon, that your brethren in the Church are afraid that you would "with one hand put a penny in the urn of poverty and with the other take a shilling out?"

This is my fifth letter to you. In my next I will make, if possible, developments more astounding, from official records, than any that have preceded it.

Faithfully,

MORROW B. LOWRY.

No. 6.

The Senator Goes for the Deacon Once More—He Shows up some of his Official Peculations—He Reminds him of some Unpleasant Truths, and Advises him that he has a Few More Shots in Reserve.

Harrisburg, March 7, 1870.

DEACON GEORGE BERGNER:—"Remember March, the 15th of March remember," for days before and days after the 6th of that month, the anniversary of my own existence, I send these tokens to you, which you will never—no, never—forget. This morning I salute you again with hideous rows of figures, which please explain how they came to be found on the books of the Auditor-General. I give you the gross amount that it has cost of the hard-handled sons of toil of the Keystone to keep in order and remain a place for you to lobby and fatten upon the tax-payers. Remember, Deacon, these items do not include the amounts paid the poor washerwomen and laboring men who keep clean and warm your lobbies. Their pay comes in under an item of "Legislative expenses," of which you have probably heard before.

The grounds of the Capitol of Pennsylvania are somewhat extensive. They contain about thirteen acres,—with a plain, substantially constructed brick State House, a Land Office of small dimensions, and a cheap office for the Secretary of the Commonwealth, with an executive chamber over it. The grounds are inclosed by a strong iron fence and the buildings covered with metal, the expense of which was incurred twenty years ago. On the grounds is an old arsenal, which, if it ever had any repairs done to it, came out of the military fund, and does not enter into the accounts for which I am about to arraign you. There is also a monument on the grounds, the expense of the construction of which follows. There are men everywhere, mechanics in abundance, who have told me that they would be glad to take the contract of keeping the building and grounds in repair for any length of time for two thousand dollars a year, and do it in a neater and more satisfactory manner than is now done. These items are under the head of "Repairs to Capitol Grounds and Buildings." It is conceded by everybody that you have managed affairs at the Capitol since 1859. The expense to the State for "repairs to public buildings and grounds" in 1860 was \$5,330.21; in 1861, \$10,626.27; in 1862, \$6,856.91; in 1863, \$8,024.29; 1864, \$14,142.49; 1865, \$38,093.63; in 1866, \$38,080.33; in 1867, \$39,291.65; in 1868, \$45,903.42; in 1869,

\$32,266.71. My experience is, that to open up the vouchers which are put on file to cover up these sums, as well as those of your other accounts, is hard to do. And some rich things are in store to be developed by way of sub-rebutting testimony, after you answer my serious and damaging accusations. Let it be borne in mind that the Capitol extension, or what is known as Clymer's monument—and a creditable one it is—cost \$150,000, which does not enter into any portion of these items, and on which I never thought that portion of the Republican party to which you belong made a profit of more than 10 per cent. on the gross amount. It was more honestly conducted on the whole than anything of the kind ever done in your day at Harrisburg.

Deacon Bergner, will you please inform the hard-fisted farmers of the Keysone and their wives, how your cows have thrived on grass cut and put in your barn and the barns of your friends, at the expense of the State, off the grounds of the Capitol, and what has become of the carpeting and furniture which you fit and refit annually, and how much of the sum total of \$288,616.96—to say nothing of the other drippings of the Capitol—come to you as this part of your portion of the public plunder, of which I have not spoken in my former letters. The horrible *expose*, Deacon Bergner, which I have been compelled to make of you was not one of my own seeking; but "the Lord maketh the wrath of man to praise Him," for you, in your own paper, triumphantly declare that I sought, sent friends, to cause you to desert, but that I was a traitor to the republican party, and you would follow me." I wrote to your master on the 18th of January, 1870, "that since I saw proper to vote as I did on the State Treasurer question, the Harrisburg *Telegraph*, a paper controlled by yourself, and ostensibly edited by one of the worst men that was ever associated with a legislative 'ring,' has been following me with slander, the object of which is to detract from my personal character and impair me in the good opinion of the public, for no other earthly reason than because I would neither be bought nor driven into his corrupt designs. With all sorrow, I swear I will not submit to this, and unless you forthwith call off this dog I will war against the whole of you." The dog was not caded off. You continued to hound me like a wounded stag, or a disabled "Butler county bull, with his horns sawed off." Deacon Bergner, a sound orthodox Republican and a bad man are incompatible, and cannot exist in the same person at the same time and I have the evidence before me that you are unfaithful, and always have been, to the Government which you adopted and plundered, and untrue to your own soul and your neighbor's purse in regard to your sworn yearly income tax return. You have compelled me to make history for you. I do it with sorrow, in self defence, and I do it because I am, and not because I am not, a Republican. I believe the party to which I belong must be

purged or perish. My orthodox faith in its doctrines is deep, and runs down clear into my heart. Yours is deep down into your wallet, and goes where it leads you. Its immortal principles can never die. You never conceived them, nor comprehended them. A man, to be a true Republican, must be an enthusiastic believer, not only in the principles of Thaddeus Stevens and in John Brown, but in God and everlasting justice to all—even to Democrats honestly elected to high places. We must have an undying faith in all that is right, and fight for it because it is right, and condemn and spit upon all that is wrong, and be must fight against it and crush it with his heel because it is wrong. Weak Republicans we must feed upon milk; old harlots like you we must hew down with a broadax before the Lord. I knew what it was to balk you. I knew it was peril, and I knew it was fire, but I took the chances.

Deacon Bergner, I have before me a heavy recorded oath, under the seal of Berks county, that you made, "renouncing all princes and potentates, particularly the King of Hanover." If what you swore to there was true in regard to your age, during the late Rebellion you cheated the Government out of two drafts, and the army out of an ornary, cowardly soldier with more ease than you would cheat the Devil out of your bones, or read me out of the Republican party.

Deacon Bergner, I have before me a letter from the widow of a dead soldier officer, the truth of which is certified to by a Republican officer of the Government, dated March 26, 1869. Both the widow and the dead hero are held in saint-like remembrance by all the neighbors round about who knew and loved them. This widow of a dead hero says, and so does her certifier, and so does her neighbors, that you defrauded her out of the post office at Harrisburg by representing at Washington, and falsely proving by witnesses, that she had with drawn her desire to obtain the place, and that you had agreed to pay her eight hundred dollars per year so long as you should hold the office. She charges you, and so do I, that you lied about her like a thief to obtain the office yourself, and that you lied about yourself, for you never paid her, you never will pay her, and you never intended to pay her anything whatever. O Deacon! if John Brown heard you called a Republican he would rustle in his winding-sheet, and would burst the rocks where he lies to kick you!

But I have other letters and proofs enough of which have come rushing in upon me since I have got into this contest to fill your own beloved *Record*, which, because I voted against and broke your cruel ring into a thousand pieces, you would stab me in my seat in the Senate if you dared. Are you not glad that your intamous newspaper persecutions on the "demented," "paralytic," "brain-softened," "treacherous," "old man of the sea" got me into this job? I must close, to resume, George. How do you like it as far as I have gone?

MORROW B. LOWRY.

Another Epistle to the Deacon—The Senator Reviews his Personal History past and present—Why the New County Bill was killed, and who killed it.

HARRISBURG, March 8th, 1870.

DEACON GEORGE:—

This morning the undersigned was sorely in trouble, and is not yet without his anxieties, feeling the sadness that might befall you, if you did not promptly receive his seventh (daily) epistle to you.

My "head lights" were missing, the paper mislaid;

For ink, pen and whet I looked high and low;

I feared you had stole them, but dear George it ain't so.

The veritable same "head lights" were lost and found again, which you and your pure paper of the 24th of January says, that I "stole from the Erie light house."

The hundreds of attacks which you have made upon me, with the exception of one class, never disturbed me. I never cared what you charged me with. In regard to your false allegations that I had bargained with the Democracy and betrayed the Republican party, "Lies are but short living creatures," and the short space of time which has already elapsed since you made these charges has vindicated me and condemned you; and the robberies which you alleged they had agreed to aid me in and I them to the amount of millions has not yet taken place.

The charge of traitor to the Republican party because I voted against Mackey, has no terrors, whether coupled with or without the names of Kerr, Billingsfelt and Warfel (Senators,) and Ames, Craig, McCracken, McGreary, Bowman, Wheeler, Buffington, Leslie, Wiley, Rienoehl, Godschalk, Herr and Coray, of the House.

If you again dare to speak in your paper of my bodily affliction, I will tell a tale that will mark your grave. Thus far I have kept strictly to your public life, professional practice and recorded villainies; and gloat not again in derision of God's visitation to me a year ago. Speak not again to me as "an old traitor too feeble from paralysis to support his body upon his legs;" neither again lick not up the spawn of another.

It is true that I was a man afflicted, but it was and is good for me, good for the taxpayers of Pennsylvania, but bad for you, George. My affliction was just, and I bow with humility. "Paralysis" is the effort of the soul to get rid of the body. In my case the soul is persistent, and the body resistant, but the will is implacable in commanding the place between them. The contest may last for years, or it may gratify you now, to have the pitcher broken at the well. The timbers upon the starboard are strained, the posts are as heavy as lead, the planks are water logged, the yard arm has fallen. I weep for it as I repeat it, yet thank God

that the level and the compass are uninjured, and the trumpet is not even cracked yet. In the end the soul must triumph, and I care not how soon, could I take with me those dependent upon me, if you and men like you are to govern when living and rob our children when dead, not only of their property, but of all public virtue.

Had the hulk not been battered by a raid to save the life of John Brown by railroad disasters, by mob violence, by exposures upon battle fields, and in dead houses, and the crushing weight of the storms of State, after inhaling the foul air of hospitals, and your breath the soul would not so soon have made an effort to escape from its mud house. Let my paralysis alone, for you are entirely safe from the same affliction.

A soul that could endure your body as long as the Children of Israel were passing through the Red Sea, would always be contented to live on unsalted "Hanover pork," growing fat upon still stops of its own government plundered and government seized. Bergner bailed whisky distillery at Harrisburg, and is iron-clad against paralysis.

Deacon Bergner, this is a wonderful country. Your ancestors (and I speak of this as the most creditable page in the history of your family,) I am informed, about seventy years ago, were slaves in the old world in coal-pits and in salt-mines, laboring sixteen hours of the twenty-four, and subsisting upon oat-meal and pea-soup. When the coal-pits and salt-pits changed hands, they were transferred with the mines and the mules. Not only your fathers, but all similarly situated with them, each wore a collar riveted around their necks with their owner's name and clan engraved upon it, and they were as well known, and more respected than the statute of corruption, that stinks and laughs and laughs and stinks about our lobby.

Take compassion upon me, George, in my misfortune. Look at the honorable hole from whence you yourself were digged and whose fathers you have disgraced. If your ancestors, either of them, had torn the collar from off his neck, it would not have been any greater offence against the criminal laws of that day, than I have committed against the laws of party organization and State robbers. It is true that they were not protected as the laws of Pennsylvania protect you from the possibility of legal exposure, much less of condign punishment.

As a party of Republican leaders, character-destroyers, as moral lepers, as State thieves, as soul-sellers, and soul-destroyers has placed in the hands of a descendant of coal and salt-pit slaves, the cleaving-axe of a party press, of execration and death in its hand, to destroy suddenly and violently, and ignominiously, all who are not corruptible, and to bury them at the cross-roads of public indignation, and have a stake driven through their body by a hungry Hessian, as a warning to others not to follow them. I have the evidence before me of other divers little, yet horrible

transactions of public peculation and forgeries to plunder the state which I desist from giving till I hear from you.

You charge me in your paper with making a bargain with the Democracy in regard to a new county, with its seat at Titusville. I deny it. I will prove to you before I am done that there is a good deal of human nature in a Democrat. The Democracy voted with me in the Senate for a new county for legitimate reasons; whether good ones or not, parties always follow them. The Republicans to punish me for not voting for Mackey, and because I *would* allow a Senator who was honestly elected, regularly certified to take his seat, conspired against me on my new county bill, with the exception of the Lancaster county senator and Gen. Kerr; and this of itself would have been two sufficient causes for all the Democrats of the Senate to support me. Kerr stood by me and was abused for it like a thief; Billingsfelt and Warfel went back upon me to keep a consistent record, that they might not be guilty of the same inconsistency and shame as other Senators. Wallace followed my bill into the House, and it is true, told his political friends that "this new county question was a cancer that would eat out the vitals of the Republican party in Crawford county," and they must hold it where it was. This had its effect, and you, George, at two hundred dollars a head "drank out of the same coffee pot with Wallace" and did the rest of the work. You did it before. You and your associates did it last year. You strangled it in a pool of corruption in Committee in the house, after it had passed the Senate. A year before you and your associates killed it in the Senate, and offered Mr. Neal and other gentlemen from Titusville to reconsider it and pass it for a price. And this is the way that the blessings of civil government for the people of Titusville, have been knocked up and knocked down by your ring.

Had Mr. Neal and his associates given the conspirators what they demanded of them, which I am told was eight thousand dollars, you would have followed it in the other branch of the Legislature, and killed it there, unless they had paid your ring three times that amount.

I now pay my respects to men of your ilk, clothed briefly with legislative authority, by a poem sent to me by an unknown hand, which I adopt, and with my compliments respectfully dedicate to you and them.

"The man who takes a bribe would strip the dead,
 "Or rob the orphan of his crust of bread;
 "So lost to justice, equity and right,
 "This man would steal the aged widow's mite.
 "Is well prepared for every kind of fraud,
 "Would sell his country, or betray his God,
 "Pillage the palace of the King of Kings,
 "Or strip the gilding from an angel's wings.
 "On sad events, now passing on, do reflect;
 "Freemen, be firm, and stern, and circumspect.
 "Let none be trusted who for office pants,
 "To pump or vulgar artificial wants.
 "Let every idle, vain and vicious drone
 "Live, if he can, but trust not such a one.
 "Remember what Time's faithful record saith,
 "That Carthage fell, and fell by "Panic faith."

"The man who is unfaithful to a trust,
 "However small, is vitally unjust;
 "And he who is untrust in little things,
 "Would be a villain in the court of Kings.
 "Present a bribe, and down his virtue falls,
 "In court, or camp, or legislative halls,
 "The bribe—apostate blot his hateful name
 "From each and every scroll of honest fame.
 "Let no man trust him; none forbear to shed
 "Contempt, and deep dishonor, on his head.
 "Let scorn still point her finger and her jibes,
 "And say "Behold the consequence of bribes."
 "Let guileless children, as he passes by,
 "Shrink from his touch, and shudder at his eye.
 "Let lovely woman loathe him with disgust,
 "And shun him like the r-pittle in the dust;
 "And, whilst he lives let infamy alone,
 "Claim the bribed legislator as her own;
 "Until he dies and sink into the grave,

"To poison worms that feed upon the knave.
 "There, midst the storms let heinous furies foul,
 "Told nightly revels, and in concert howl;
 "Let hissing serpents make that spot their home,
 "And be the watchful guardians of his tomb;
 "And when he goes to Hell, let Devils stare,
 "And ask him who the Devil sent him there?
 "And feel the insult, deep, severe, and keen,
 "To see a fiend pre-eminently mean,
 "Mist better Devils rudely ushered in,
 "A foul, appalling prodigy of sin;
 "And in Hell's fiercest, hottest furnace crammed,
 "Let him be damned,—superlatively damned;
 "And why not damned for such transcendent crimes,
 "Yea, damned eternally, ten thousand times?"

I had intended to show you, Deacon Bergner, what excellent material was in you to resurrect the Native American Party; but I must desist. The hint may be useful however. It was also my intention to devote a letter to your hide-and-seek practices, with the editors of two *Gazettes* in the western part of the State. I had intended to show that those two papers, through your aid, had robbed the State at large, of an improvement worth more than two hundred millions to her, and had destroyed property in their respective cities to a vast amount; at least they have done this for the time being, and we will never know the amount of labor that it will cost to repair the damages which they have done.

To-morrow, Deacon Bergner, I intend to defend myself against the attacks of you and your crew who have lied about me in regard to the Scull-Findlay case. I must now (for to-day) come to an abrupt conclusion with you.

Faithfully yours until death.

MORROW B. LOWRY.

No. 8.

The Senator Receives Tokens of Affection—He Returns the Compliment with Interest—His Opinion of our Representative—History of the Scull-Findlay Case—Action of Republicans Indicated.

HARRISBURG, March 9th, 1870.

DEAR DEACON BERGNER:—

Upon crawling out of bed this morning, I found my mail had been sent to my room, and among it were two newspapers, both of which were called the "*Harrisburg Evening Tele-*

graph," which a dear old friend had returned to me, being tokens of affection that you have been furnishing to my constituents.

Of the contents of one of these newspapers I will speak now. Of the other I may speak hereafter. It is dated the 26th of January, 1870. I find in it the following classical and sweet scented extract, a part of which I give you: It reads as follows. "*The Traitor Lowry fears us; he must be shown up at the hazard of the Republican Party, however much his physical infirmities and the mental condition of the lunatic, may have heretofore stayed our hand.*"

"*The horrible old debauchee is insane.*" "*He wants to go to Congress,*" "*he wants a foreign mission,*" "*he wants Brewster made Attorney General.*" "*With a vulture's eye he sees the action of Congress respecting the Mormon Exodus from their pleasant homes, and his sordid heart becomes ravenous.*" "*The desired opportunity for revenge against a party who rewarded him without merit, presented itself in the case of Scull vs. Findley. His corruption, his ignorance, his insolence, his blasphemy, was as active as a lunatic's could be, in prejudging the case and prejudicing it.*" In this "*Morrow B. Lowry has defiantly left the Republican Party, with the devilish malignity of an unclean spirit.*"

The "traitor Lowry," my dear Deacon, has been giving evidences for some days past, that he is in horrible dread of you, and you will never forget that he fears you; but the "*Lunatic,*" I apprehend you will concede, has "method in his madness." "I am not insane, most noble Festus, but speak the words of truth and soberness" to a noble party who has liberated four millions of slaves, but has within itself festering elements which the last hope of the world must get rid of or it will stink us all to death.

You are mistaken, Dear Deacon, in saying that I want to go to Congress. My district is represented by a man as cold and as pure as all the ice that Seward purchased in Alaska. He is an honest man,—he is an able man, and with him I am content if George H. Cutler, William W. Reed, Orange Noble, W. Benson, J. H. Walker and Jas. Sill are. Honest men are wanted in Congress; a few of them here are a luxury that you most dread.

As to the "foreign mission," even one to the Court of St. James, if offered me, Dear Deacon, I could not, for manifest physical reasons accept. My affection for you is so sincere, that if I remain on earth and in public life it shall be with you—"the undersigned will never leave or forsake thee."

I know, Deacon, that your care for me is so great that altho' "demented and unable to stand upon my feet," you would be glad to get me to the Court of St. James, and your arms again up to the elbows in the Treasury that you have robbed. *Shamefully! SHAMEFULLY! SHAMEFULLY!* robbed.

Brewster, in my judgment, would make an

Attorney-General second to no man in this country; but he should not make the sacrifice; he is great, and struggling Cuba needs him and religious and civil liberty would be the better off were he in Grant's Cabinet as Secretary of State. With my "vulture's eye," and "sordid heart," I might long to rob the Mormons of their beautiful homes, and, if you please, of a hundred farms; but I am not the man to be sent upon such an errand. I am fit for nothing but to watch you, your co conspirators and the Kingdom of Heaven, and really I am not fit for that. Those farms of the Mormons, I am told, are very tempting, and I am so corrupt that I would not play fair and divide. There are fine farms with great brick houses and Dutch barns in Lancaster, Lebanon, and Dauphin, and all along up the Juniata and Susquehanna; and when you get these old "*records,*" Deacon, I will have something more to say about the farms and the blooded sheep, horses, men and heifers that pastured thereon. I will try to show that the men who made those early "*Records,*" Deacon, which you threaten me with, were better men than you are, but unfortunately for you, Deacon, died in the Penitentiary.

But this is a digression from the object of this letter.

Now, for the Scull-Findley case," and "my desired opportunity for revenge against a party that had rewarded me without merit," and my "defiant leave-taking from the Republican Party with devilish malignity."

It has, particularly since the breaking out of the Rebellion, grown into a vicious practice, both in Congress and the several States, in cases of contested election, that the dominant party in contested election cases elected the party's favorite. Whether the people did or not, was of secondary consideration.

This great, this growing, and this shameful evil, if I have done anything towards abating, I have rendered more service to my country than it is probable you or your backers will ever do.

The practice leads to all that is evil, and nothing that is good; and men engaged in your profession are more active in its introduction and execution than they have ever been to advance the purity of the elective franchise, or the good of the party they disgrace by belonging to it. In the Senate of Pennsylvania, this year, there were two cases of contested elections; that of Scull versus Findley, and Diamond versus Watt. It was my misfortune to be drawn upon both of these Committees. A single objection would have stricken my name from either of them. This objection was not made, and I proceeded with the other members of the Committee, after being duly sworn, to discharge the duties thereof with fidelity.

The case of Scull versus Findley is decided, and I am at liberty to speak of it. That of Diamond versus Watt is yet undisposed of, and it would be improper in me to say more in regard to it.

In the Findley-Scully case I will speak "with malice towards none and in charity for all." I had no acquaintance with Mr. Scull, the Republican, neither had I any with Mr. Findley the democrat. I was invited to a caucus of the Republicans the day before that fixed by the Constitution of Pennsylvania for the organization of the Legislature. On entering I found a strange gentleman speaking, and I soon learned from his discussion that it was Mr. Scull, who was teaching senators how to get himself into the senate and how to keep Mr. Findley out. I knew, not only from newspaper reports but the published official returns therein, that Mr. Findley held the regular certificate of election and was therefore lawfully entitled to his seat. I considered Mr. Scull's presence in the caucus when some of us would be sworn to well and truly try his case, highly improper, and I ventured promptly so to express myself. I was given to understand that the court "understood herself," and if I objected they could get along very comfortably without my assistance. I was indignant and left the caucus. The next day the Secretary of the Commonwealth, immediately upon the Senate (which is a perpetual body) being called to order by the speaker, delivered to us the official returns. Ten Senators who held the same kind of certificates, returned through the same channels, were sworn in, and Mr. Findley was shoved aside, yet he held the same evidence of the right to his seat which every Senator in that body was admitted upon, I will not even speak of the "Peter Funk" one horse certificate of Mr. Scull.

A resolution was then offered by Senator White, that a committee of three be appointed to decide whether Mr. Findley or Mr. Scull was entitled to the seat, *prima facie*. Against this unheard of, dishonest and unlawful proceeding, I protested with all the warmth of my nature.

The resolution was carried, and the committee after hatching and haggling over a new patent to make Senators, reported that Mr. Scull the Republican, should be sworn in, and that Mr. Findley might contest if he chose. On the resolution being read I shocked your party and "blasphemed" because I made a remark—addressed to no one, "there was silence in heaven for the space of half an hour"

Be it remembered that the act of assembly, and the practices of all deliberative bodies, as old as the ballot itself, were by this action struck a dastardly blow between the eyes, by back-seared party "ring" boned Republicans.

The report of the Committee had been kept back, and Mr. Findley's time to make the contest with specifications which under the law must be within ten days, was delayed until but two days of his time would be left to contest in. I denounced Mr. Scull and his backers, of which you are the principal conspirator, and from the worst of motives, as attempting to get a Republican into the Senate, not through the lawful channels, but through his climbing up upon

the shoulders of a party that never can afford to violate law.

Mr. Billingsfelt voted with me and with the democrats, which defeated the infamous report of the Committee, and Mr. Findley was sworn in, as he ought to have been without hesitation on the first day of session.

During the pendency of these proceedings, in answer to a letter, the late Attorney General Benjamin Harris Brewster, an honest man and Republican from principle, declared that I was not only right, but that any other course had within it the seeds of anarchy, and of the party's death that dare practice it.

In the meantime I went to Philadelphia before Mr. Findley was sworn in, and as the case could not come before the Supreme Court, I had no hesitation in conversing with my old and valued friend, the Chief Justice of Pennsylvania, and the Hon. M. Hazleherst, and other pure and good men, honorable and good Republicans,—who scorned this revolutionary and unscrupulous attempt to place unlawfully a man in power, who, as proven by the papers, then and the investigation since, was not elected. The papers of Mr. Findley were honest papers, had come to us through the only legal channels known to the law and to custom; but if his papers had been forgeries coming through the channels they did, we had no right to inquire into it other than through a Committee of seven, lawfully drawn, lawfully organized and lawfully sworn.

For so doing and because I would not perjure myself to give Mackey a vote and the ring a recruit, your paper could not coin words vile enough to apply to me.

Mr. Findley took his seat and Mr. Scull became the contestant. A jury was drawn, of which I was one, and the trial proceeded.

There lie upon my table something less than half a bushel of extracts which I cut from your paper, denouncing me at every step, as unwilling to go to Johnstown where witnesses were accessible, and that I was throwing every embarrassment in the way to prevent Mr. Scull from receiving a fair and impartial trial. You charged me many times when my lips were sealed and I did not speak, with betraying the Republican Party, on the Committee to stifle investigation.

Thank God, I can now speak and vindicate myself from the record before an impartial world.

In the investigation that followed, there was nothing occurred of sufficient importance to call the yeas and nays, except in nine instances. An examination of the yeas and nays in our journal when it is published, is the only vindication that I want.

You, George Bergner, denounce the Committee as "a Star Chamber" one, and that I had conspired with the Democracy in the dark to keep a man in his seat whom the people had never elected.

The first two resolutions that came before the Committee, it will be seen from the journal, related to striking out matter from the petition

of Mr. Skull, vital, it is said, to substantiating his right to a seat in the Senate. In both instances, I voted with the Republicans on the Committee, and against striking out anything. The merits and the truth were what I sought to obtain.

The next resolution for a call of the yeas and nays, is before me, and in the following words :

That the committee shall hereafter sit with open doors, and all questions shall be decided by yeas and nays, and the Clerk shall keep a full record of the same.

The following was the vote upon the resolution :

Messrs Lowry, Linderman and Randall in its favor, and Messrs Allen, Brown, Osterhout and Brooke against it.

If His Sataanic Majesty, by solemn proclamation had called a world's convention of knaves and liars, and commissioned you, Deacon George Bergner, as President of the same, with full power to select Mackey for Treasurer, and the greatest liar in all the vast multitude for Secretary, there could not have been devised or invented accusations more false or wicked than your organ has made against me.

The next call for the yeas and nays, are on the following :

"That fraud sha'l not be presumed, but the contestant or the sitting member shall have the fullest opportunity to make the charge of fraud, or illegal voting, and the most ample opportunity shall be given him by the committee to prove the same according to the rules of law and the specifications before us, and the whole force and power of the State shall be given him to obtain any testimony he may desire."

It may be proper here to state, that the only pretense for getting up the Peter Funk, illegal, unsworn party committee of three in the Senate, consist in a technical error of the return judges of Allegheny township, Bedford county, and in regard to this the committee disposed of it by the following resolution, which was carried by the vote of Messrs. Brown, Lowry, Lindenman and Randall :

"That because the township of Allegheny, by a mistake of its officers, returned the tally paper instead of the regular certificate of election, that, of itself, should not be a sufficient cause to oust the sitting member; and that the return of the tally paper and the substitution of the proper one was a practical correction of a manifest error, and it should not oust the sitting member merely because it did not arrive before twelve o'clock at night on the return day, but that all allegations of fraud in the election of said township should be fully investigated and all illegal votes, if any are proved, shall be thrown out."

Messrs. Allen, Osterhout and Brooke, as in duty bound, voted against it and were conscientious jurors.

Whoever will read the whole proceedings of this Committee which will soon be laid before the public, cannot fail to discover that

Mr. Skull, from the very inception of the case, desired to have certain lawful citizens who vote disfranchised, particularly in the township of Conemaugh where it appears that a number of Republicans rebelled, and voted as God, their conscience the Constitution and the law allowed them to do; and they were entitled to the protection of the law and a secret ballot without the fear of the party lash from a Republican editor. A knave who votes illegally, can be compelled to disclose for whom he voted; an honest voter alone is protected from inquisitorial investigation.

The following resolution which is not only good law, but good morals, took him between wind and water, and as he said himself, was a fatal blow to the end of the investigation;

"That the right of a lawful citizen to vote a secret ballot cannot be questioned, nor should a lawful citizen be called upon to disclose for whom he voted. The mere proving of himself, by himself, to be a citizen, should not exclude the other party from proving that he was not one; and when proved that his vote was illegal, then, and not until then, shall he be required to state for whom he voted, which vote should be deducted from the vote of the one for whom it was cast."

This position was carried by my vote, and was my own work,

There had been something said in the specification of Mr. Skull, relative to certain votes in the Poor Houses. Mr. Findley upon his part, dated investigation, and it looked at one time, as though the paupers from three county poor-houses, would be brought to Harrisburg at the expense of the State; and to define what I believe to be the law, and to give notice whom they might properly subpoena, I offered the following resolutions:

"That neither poverty nor riches constitute the qualifications of a voter, and the mere fact that a man is a pauper, and lives in the poor-house, does not disfranchise him, provided he, in all other respects, has complied with the law and the Constitution of the State and of the United States; and the same rules and laws that govern the qualification of citizens residing in palaces should govern that of the occupants of almshouses and poor-houses."

This was adopted by the same vote as the preceding ones.

The returns from Conemaugh township show that Mr. Skull had run behind his ticket in a strong Republican township, and where the officers of election were, every man of them, Republican; and he proposed to subpoena nearly two hundred Republicans from that township to prove that they were all true, faithful and loyal party men, and had voted for him; but it has come out since the investigation closed, that the counsel for Mr. Findley had in his pocket the certificates of sixteen Republicans who said they would swear that they voted for Mr. Findley the Democrat, and for Gov. Geary the Republican.

The following proposition which I submitted,

Mr. Scull said, cut his whole case up by the roots.

"That the fact that Mr. Scull, a Republican, ran behind his ticket thirty-three votes, and that Mr. Findley, a Democrat, ran ahead of his ticket thirty-three votes, in Conemaugh township, is no evidence of fraud, neither is it fair to presume it, because the officers of the election in that township, it is conceded, were all Republicans, and that if fraud be charged the ballot boxes should be sent for, the ballots counted, and the officers subpoenaed and sworn before this committee, and that the whole body of the Republican voters will be subpoenaed if fraud is proved."

This was adopted by the following vote: Yeas, Messrs. Lowry, Linderman, Brown and Randall; nays, Messrs. Allen, Osterhout and Brooke, who, no doubt were patriotic party men.

You, George Bergner, have made dirty an immense amount of white paper, declaiming that the committee would not go to Johnstown, nor do any other act or thing, to prove the undue election of Mr. Findley, and the fraudulent voting, and you ran about the streets shedding great crocodile tears as large as your feet, and your paper bellied hugely Lowry "the traitor to the Republican Party; and that he had sought to stifle investigation and refused to go to Johnstown, near the homes of their witnesses."

Now, the record shows that I offered the following resolution, and the sinners on the committee voted for it, and the saints against it, by precisely the same vote of the last!

That this committee will go to Johnstown or elsewhere within the Commonwealth, if requested by contestant to do so, to hear evidence on the basis presented, and that every case of fraud or undue election shall be investigated.

There were a large number of witnesses called. There were two votes that were probably illegal; this however, is doubtful, but Mr. Scull got the benefit of them. Mr. Scull's indecent letter on withdrawing from the contest was returned by a unanimous consent to him. Mr. Findley alleged that he could prove a great many more illegal votes than his opponent had done, being only two; but after Mr. Scull abandoned his case at a cost to the state of an immense amount of money and much valuable time, \$600 of the money of the state went in-

to Scull's own pocket. Mr. Findley, of course, did not press the point of producing any witnesses.

Let us now for a moment return. Mr. Findley, on being sworn in, Mackey lost a vote thereby. Your immediate pressing necessities, Dear George, were very great, as the State Treasurer was to be elected the next day.

Your greasy and beniga face, which up to this time was longest across it, became suddenly reversed, and up and down became as long and as lovely as a mule's. Billingsfelt's vote for Findley, and my vote and preaching, had a humanizing effect upon the Democracy, and developed the fact of which I have previously stated, that there really was "a good deal of human nature in a Democrat, and is proof that

"Whilst the lamp holds out to burn,
The vilest sinner may return."

For all fell into line and voted with us for Irwin, as good a Republican as there is in the State.

I will do you the credit to say here, that no more large and respectable convention of State robbers with you again as their President, with banker's and editors for their officers ever assembled at the capitol of Pennsylvania, than on this occasion.

I will, at my earliest convenience, review and publish these letters in pamphlet form. I have made more damaging accusations against you, sustained by official records, than was ever made against any public plunderer in our day. Your defense of yourself by charging me of rabbling the Erie Company (a corporation) when all I ever obtained from it was for work and labor done, and that at the end of the law, and where such men as the late J. W. Fairley—one of the most distinguished Senators that Pennsylvania ever had, the late Hon. John Mitchell—a distinguished Ex-Member of Congress, and for many years Canal Commissioner of Pa., the late and deeply lamented Hon. Arnold Plummer, and men of this character, were the jurors who decided in my favor, and where Judge Pearson and Judge Thompson were my counsel, is the most remarkable case on record of your shameless villainy, and proves you totally destitute of truth.

As ever,

MORROW B. LOWRY.

APPENDIX.

Ex-Attorney General Brewster ON THE FINDLAY-SCULL CASE.

**He Sustains Senator Lowry's Position,
and Shows that Mr. Findlay is
Entitled to the Seat.**

The subjoined letter, from the Hon. Benjamin Harris Brewster, late Attorney General of Pennsylvania, has been received by Senator Lowry. It will be seen that Mr. Brewster regards Mr. Findlay as clearly entitled to the seat in the Senate, *prima facie*, for the Twentieth Senatorial district. The letter needs no comment. It speaks for itself:

706 WALNUT ST., PHILADELPHIA.

January 7, 1870.

My Dear Mr. Lowry:—I am so occupied that I cannot answer you as freely as I would like to do. However, the whole question is within a very narrow compass and will not admit of much elaborate discussion. You ask me if you have taken the right ground, and you say you are anxious not to go astray. You have not gone astray. You are right. Party has nothing to do with this. Principle alone must be considered, or confusion and legislative anarchy will be the result. The matter has been determined over and over. Indeed, no precedent can be found to uphold the proposed course. The man who holds the certificate is the elected man, and entitled to his seat. Those who dispute his certificate must contest. No legislative body can be organized on any other principle. The return judges having certified by a majority that A was duly elected, A must take the seat. If B has a dissenting opinion from one judge, or a minority, that no more entitles him to the seat than it would give a citizen a judgment in a court of law when the majority of the court had resolved the other way. In either case the remedy is by appeal. In the meantime the occupant holds, or he must be ejected by judgment in the whole case as presented to the higher court, and that court in this case is the committee as provided by law. But there is no occasion to illustrate by analysis in this case, the law—the law is imperative, and to revoke it for the mere purpose of upholding party supremacy, or from any legislative whim, must be destructive of all true legislative organization.

Some years ago I gave an opinion of a like character in Judge King's case, and he was commissioned. Mr. W. L. Hirst united with me in that opinion. The papers you can get no doubt in the Secretary's office, and so I doubt in the Covode and Foster case.

Consistent action and strict adherence to the law is essential in such cases. The method of solving such disputes is a part of parliamentary history in England, and the course provided was adopted after much contention, and has been accepted as the wise, just and impartial way, and being accepted procured tranquility on a subject which before was the cause of much injustice. The law, as it has been applied to each gentleman who now holds his seat in your body, must be applied to this case, or you will all of you "go astray."

Truly your friend,

BENJAMIN HARRIS BREWSTER.

To Hon. M. B. Lowry, Senate, Harrisburg, Pa.

PHILADELPHIA, 706 WALNUT ST.,

February 7, 1870.

To the Hon. A. D. Cuyler:—DEAR SIR:—I will answer your questions in the order in which you proposed them.

First. Can the question be asked of a witness, for whom did you vote for Senator? until it is first decided by the committee that he is not a qualified voter?

Answer—Before a voter can be thus interrogated, it must be proved that he was an illegal voter. The act of assembly expressly declares the law to be so—act of July 2, 1839, p. 1, 550, section 143, and there has been an express judicial decision on this subject, to be found in 4th Penna. Law Journal, p. 348, in the case of the contested election of

Ward. If the statute were not so, the Constitution, article 3, section 2, expressly prescribes that all elections shall be by ballot. To require a citizen, therefore, who is a legal voter to disclose for whom he voted would be a violation of this clause of the Constitution. If he is no legal voter, and that is proved, and he did vote, he is not within the protection of the Constitution. That protects the secret of the lawful voter. The unlawful voter has no protection because he has no right to protect. He has perpetrated a fraud.

Second. When the petition alleges that in Conemaugh township thirty-three legal and qualified electors cast their ballots for Edward Scull for the office of Senator, which said ballots were received, deposited in the ballot-box, counted and returned for Hiram Findlay, whereby the same were lost to the said Edward Scull, is it legal and proper for the committee to hear secondary evidence by calling the electors and asking for whom they voted for Senator, or should the committee require the primary evidence, that is, examine the tickets in the ballot-box and hear the sworn testimony of the election officers?

Answer—The committee are as much bound by the established rules of evidence as any judicial tribunal; first, because those rules conform to sound reason; second, because they are rules established by law—universal, uniform and equal in their application—and to depart from them would be unreasonable and unjust, and would unsettle established authority, producing uncertainty and settling or unsettling public rights and public duties by arbitrary whim or caprice, or by partizan feeling. Secondary evidence never can be received unless primary evidence cannot be obtained, and the reason for not producing the primary evidence must be satisfactorily proved, and that reason must be a full and sufficient one to warrant the admission of secondary evidence; and if the primary evidence be in the possession of an individual and it or his testimony cannot be procured; if he refuses to answer; if he prevaricates, conceals, or misleads the party calling; if he suppresses documents or papers within his possession, or if it be written evidence that is lost, mislaid, suppressed or destroyed, and all or any of these facts are proven to the satisfaction of a tribunal investigating a question, then secondary evidence may be given, and not till then.

The case, as you state it, is covered by this rule. The proper and only way to establish the fact asserted in the specification would be to examine the tickets, to hear the sworn statements of the election officers. They are the best evidence that the case is capable of, and it is the cardinal rule of evidence that the best should be given. If the tickets are destroyed, and that destruction is proved; if the election officers refuse to appear, or, appearing, refuse to answer, or, answering, satisfy the committee that they have a flagrant determination to evade, prevaricate and conceal, so as to pervert the truth and prevent a fair investigation, then secondary evidence may be given, and not till then.

Third. Is a poor man (pauper in a county poor house) a qualified elector in the poor house election district, although said poor man (pauper) had been sent there from another election district provided he is a white freeman, a citizen of the United States, and has resided in this State at least one year, and in the election district where he offers to vote at least ten days immediately preceding such election, and within two years paid a State or county tax, which shall have been assessed at least ten days before the election, and has been registered?

Answer—Such a person is a qualified elector and can vote, and his vote cast is a lawful vote and as good as any man's vote, and it ought to be so. The constitution establishes this, and it does not disqualify him because he is poor. That does not deprive him of his freedom or his citizenship. The necessities of life that have driven him to

seek relief do not degrade him below the level of a manhood and strip him of an inalienable right which the law does not refuse to the convicted felon. All are freemen now, and all citizens of the United States, who reside permanently within the Commonwealth for one year and pay their taxes, are citizens. They are amenable to the law, and being so, upon the very fundamental principles of our government have a right to be represented, and to say who shall make the laws. It is not property or poverty that rules here. It is the man, responsible to God, and responsible to the law. To say otherwise, would make poverty worse than a crime. The pauper is bound by every law upon the statute book, and is protected by every provision of the constitution, as much so as the wealthiest, wisest, or most successful man in the community. Sickness, the calamities and accidents of life may reduce men to this sad condition. That is bad enough. The law never intended to add to his miseries by making him the only slave that remains in our Republic. All the duties of life bind him; he can make a contract, he can be obliged to testify, he can marry, he can sue and be sued, he is only restrained and bound by rules as every one is who lives in any institution. Persons in hospitals, asylums, factories, homes for disabled soldiers, public works, government shops and all kinds of public and eleemosynary institutions, as well as private establishments—are bound by fixed rules—that are enacted for the preservation of good order, to maintain discipline and carry out the purposes of the establishments. This is all that he is subjected to, and these rules and the restraints of the house, he can relieve himself from at any moment by asking for his discharge. The poor house is his residence, it would be there that process of law, criminal or civil, would be served upon him, and it is from that residence he may vote, provided he has lived there ten days preceding the election and conformed to the requirements of the law. If to receive public support would be legal cause of disqualification, we must not forget that even now a large number of white and black citizens of the Southern portion of this nation are still receiving and levying upon the supplied bounty of the government. What would be their condition? For some of those who have received and still receive that bounty were once the wealthiest and best bred, and the most accomplished and sometimes reputed the wisest people in this region. By the calamities of war they are reduced to want, but God forbid that they or any one should by any calamity be stripped of their right of manhood and brutalized down to that slavery from which we have been, by God's providence, all emancipated. I am respectfully,

BENJAMIN HARRIS BREWSTER.

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